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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,632	06/27/2000	Hirokazu Nagasawa	450100-02579	3984
20999	7590	05/12/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			PEYTON, TAMMARA R	
			ART UNIT	PAPER NUMBER
			2182	
DATE MAILED: 05/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20050509

DATE MAILED:

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**Commissioner for Patents**

Response to IDS filed 06/14/04.

***Information Disclosure Statement***

The information disclosure statement filed 06/14/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because Applicant certification under 37 – C.F.R. 1.97 (e) states that the Information Disclosure Statement was cited in a Search Report issued in the corresponding Chinese application on April 25, 2003. Further it goes on to state that “a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.” However, it appears that the communication received from the corresponding Chinese application on April 25, 2003 is more than the three months from the filing of this statement. Also, a copy of the 4/25/03 search report for the corresponding Chinese application was not found in the record. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window

Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202Crystal Park II, 2121.



Tammara Peyton

May 9, 2005